

Sixth Appellate District

San Jose, California

TUESDAY, SEPTEMBER 7, 1999

IN RE THE MARRIAGE OF DUNCAN AND JOHNSON

The order denying Maria's motion to have evaluator's fees paid by William or the county is affirmed. (not published)  
(Premo, J.; We concur: Cottle, P. J., Elia, J.)  
Filed September 7, 1999

H019384 IN RE JOHNNY A., A MINOR

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Cottle, P. J., Elia, J.)  
Filed September 7, 1999

H018958 PEOPLE v. JAMES F.

We remand the matter to the juvenile court for a declaration as to whether the assault was a misdemeanor or felony and a determination of the maximum period of confinement. In all other respects, the order is affirmed. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P. J., Wunderlich, J.)  
Filed September 7, 1999

WEDNESDAY, SEPTEMBER 8, 1999

H017795 PEOPLE v MC CRAY

By the Court\*:

Appellant's petition for rehearing is denied.  
Dated: September 8, 1999 Cottle, P. J.  
\*Before Cottle, P. J., Premo, J. and Elia, J.

H017777 GAZZERA, JR. v. CALIFORNIA COMMERCE BANK

H017381 GAZZERA v. CALIFORNIA COMMERCE BANK

The judgment is affirmed. The trial court's order awarding defendant its attorney's fees is reversed. The parties shall bear their own costs on appeal. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P. J., Wunderlich, J.)  
Filed September 8, 1999

Sixth Appellate District

San Jose, California

Wednesday, September 8, 1999 (continued)

H016636 PEOPLE v. SHAFFER

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Cottle, P. J., Premo, J.)  
Filed September 8, 1999

H019723 PEOPLE v. VELAZQUEZ

The judgment is affirmed. Counsel's motion to withdraw as attorney of record is denied. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J., Mihara, J.)  
Filed September 8, 1999

H019050 PEOPLE v. COOK

The judgment is affirmed. Counsel's motion to withdraw as attorney of record is denied. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J., Mihara, J.)  
Filed September 8, 1999

H018944 PEOPLE v. BRUNSON

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J., Mihara, J.)  
Filed September 8, 1999

H019262 CITY OF SAN JOSE v. THE SUPERIOR COURT OF SANTA CLARA COUNTY; SAN JOSE MERCURY NEWS, INC.

Let a peremptory writ of mandate issue directing respondent court to vacate its amended order and judgment of September 24, 1998, and to enter a new and different order denying the San Jose Mercury News's petition for writ of mandate. Each party is to bear its own costs in this original proceeding. (published)  
(Cottle, P. J.; We concur: Premo, J., Elia, J.)  
Filed September 8, 1999

Sixth Appellate District

San Jose, California

THURSDAY, SEPTEMBER 9, 1999

H019271 PEOPLE v. SCAGLIONE

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J.,  
Mihara, J.)  
Filed September 9, 1999

H018653 PEOPLE v. FARLEY

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J.,  
Mihara, J.)  
Filed September 9, 1999

H018276 KLEITMAN v SANTA CLARA COUNTY SUPERIOR COURT; WESLEY  
(Filed order modifying opinion.) Appellant's petition for  
rehearing is denied. There is no change in the judgment.  
(published)  
(Elia, J.; We concur: Premo, Acting P. J., Wunderlich, J.)  
Filed September 9, 1999

FRIDAY, SEPTEMBER 10, 1999

H016617 MARRIAGE OF RESTIFO

The judgment is affirmed. Each party to bear his or her own  
costs. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J.,  
Mihara, J.)  
Filed September 10, 1999

H018351 In re THOMAS C., a Minor

That part of the dispositional order imposing a suspended  
CYA commitment is hereby stricken. As so modified, the orders  
appealed from are affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J.,  
Mihara, J.)  
Filed September 10, 1999

Sixth Appellate District

San Jose, California

Friday, September 10, 1999 (continued)

H018853 PEOPLE v RACHEL M.

The judgment as to count one is reversed. The judgment as to count two is affirmed. The matter is remanded for further proceedings consistent with this opinion. (not published)

(Premo, J.; We concur: Cottle, P. J., Elia, J.)

Filed September 10, 1999

H019420 IN RE FRANCISCO D., A MINOR

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P. J.; We concur: Wunderlich, J., Mihara, J.)

Filed September 10, 1999

H017738 CELAYA v. CARMEL MARINA CORP.

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P. J.; I concur: Wunderlich, J.; dissenting opinion by Mihara, J)

Filed September 10, 1999